

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RANDALL N. WIIDEMAN,

Plaintiff,

vs.

KAREN SMITH,

Defendant.

Case No.: 2:09-cv-0598-RLH-RJJ

ORDER

(Motion to Vacate—#81)

Before the Court is Plaintiff Randall Wiideman's **Motion to Vacate Erroneous Order** (#81), filed June 21, 2010.

On June 14, this Court granted Defendant Karen Smith's motion for summary judgment because Plaintiff, an inmate with the Nevada Department of Corrections, failed to properly exhaust internal grievance procedures before filing suit against Smith for allegedly opening his mail in violation of the law. Plaintiff now asks the Court to vacate this Order because he attached his internal grievances to his opposition to Smith's motion for summary judgment.

As the Court stated in its June 14th Order, Plaintiff did not attach any documents indicating that he followed internal grievance procedures before filing suit. Although Plaintiff claims he attached these documents to his opposition, the Court has carefully reviewed all relevant

1 documents and against finds no evidence of any internal grievance. Accordingly, the Court denies
2 Plaintiff's motion to vacate.

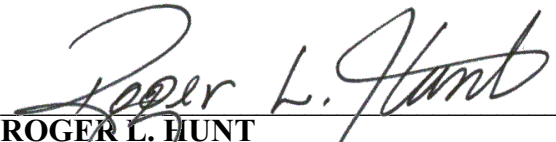
3 Plaintiff is ordered not to file any more motions for reconsideration or motions to
4 vacate in this case.

5 **CONCLUSION**

6 Accordingly, and for good cause appearing,

7 IT IS HEREBY ORDERED that Plaintiff Randall Wiideman's Motion to Vacate
8 (#81) is DENIED.

9 Dated: June 24, 2010.

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12 **ROGER L. HUNT**
13 **Chief United States District Judge**
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